

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW HAMPSHIRE

United States of America

v.

Case No. 06-cr-97-01/02-SM

Edward Cervantes Arias  
and Jose Luis Alsina-Ortiz

O R D E R

The court construes Defendant Arias' motion to continue the final pretrial conference as a motion to continue the trial as well, which motion is granted (document 22). Trial has been rescheduled for the January 2007 trial period. Defendant Arias shall file a waiver of speedy trial rights not later than November 7, 2006. On the filing of such waiver, his continuance shall be effective.

The Court finds that the ends of justice served by granting a continuance outweigh the best interest of the public and the defendants in a speedy trial, 18 U.S.C. § 3161(h)(8)(B)(iv), in that failure to grant a continuance would unreasonably deny defendants the reasonable time necessary for effective preparation taking into account the exercise of due diligence under the circumstances.

**Final Pretrial Conference:** December 15, 2006 at 4:00 p.m.

**Jury Selection:** January 9, 2007 at 9:30 a.m.

SO ORDERED.



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Steven J. McAuliffe  
Chief Judge

October 30, 2006

cc: Richard N. Foley, Esq.  
Jose A. Espinosa, Esq.  
Michael Sheehan, Esq.  
Mark Zuckerman, AUSA  
US Probation  
US Marshal